

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID FINDLING, in his
Capacity as State-Court
Appointed Receiver,

Plaintiff,

Case No. 17-CV-13560
HON. GEORGE CARAM STEEH

vs.

UNITED STATES OF AMERICA,
DAVID W. THURSFIELD, and
LINDA J. THURSFIELD,

Defendants.

/

ORDER GRANTING IN PART AND DENYING IN PART
UNITED STATES' EMERGENCY MOTION FOR A STAY OF
ORDER OF DISTRIBUTION OF INTERPLEADED FUNDS [ECF DOC. 42]

On June 28, 2018, this court entered an order of granting defendant Linda Thursfield's motion for summary judgment and for immediate relief [ECF Doc. 37]. Pursuant to that order, on July 12, 2018, the court entered an order for payment of interpleaded funds [ECF Doc. 40]. In that order, the court directed that the funds deposited with the registry of the court in this interpleader action be paid to Linda Thursfield. On July 12, 2018, before the actions directed by the order of payment were executed, the

United States filed an emergency motion for a stay of order of distribution of interpleaded funds. On July 13, 2018, the court held a telephone conference with the parties on the record, addressing the emergency motion for stay. The government proposed entry of a stay to allow time to consider whether or not to pursue an appeal with the agreement that would allow the disbursement of \$50,000 of the interpleaded funds to Mrs. Thursfield and an order directing the Receiver to disburse monthly receipts to Mrs. Thursfield as they are received.

Pursuant to the court's ruling on the record, a stay will be entered in the case to give the government an opportunity to determine whether it will take any further actions with regard to the court's judgment. In addition, the order for payment of interpleaded funds will be amended to authorize disbursement of half of the principal to Mrs. Thursfield, while retaining the balance in an interest-bearing account with the registry of the court. Finally, the Receiver is directed to pay to Mrs. Thursfield the funds currently in his possession, approximately \$52,000.00, as well as to pay all future amounts as they are received by him.

Now, therefore, for the reasons stated on the record, the United States' Emergency Motion for a Stay of Order of Distribution of

Interpleaded Funds is Granted in Part and Denied in Part, as provided below:

IT IS HEREBY ORDERED that the interpleader case is STAYED until further order of the court.

IT IS HEREBY FURTHER ORDERED that the Receiver is directed to pay to Linda Thursfield the funds in his possession, approximately \$52,000.00, as well as to pay all future funds as they are received by the Receiver.

IT IS HEREBY FURTHER ORDERED that upon a material change in circumstances requiring a modification of this Order or the Amended Order for Payment of Interpleaded Funds entered this date, the court shall be notified immediately by the parties.

So ordered.

Dated: July 13, 2018

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 13, 2018, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk